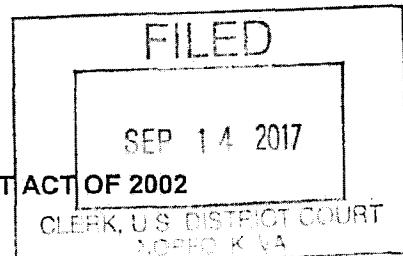


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**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST AND
SEARCH WARRANT**

I, Nicholas R. Ivone, being first duly sworn, state:

Introduction and Agent Background

1. I make this affidavit in support of an application for a criminal complaint, arrest warrant, and two search warrants authorizing the arrest of Christina PATTERSON and search of her vehicle, a grey 2013 Land Rover/Range Rover, license plate # [REDACTED] as described in Attachment A1, for jail letters discussing efforts to obstruct justice and thwart the criminal investigation of Richard PATTERSON and business records revealing attempts to undermine law enforcement's continued possession of evidence collected from PATTERSON's property three months ago.

2. I also ask for a separate search warrant to be issued authorizing a search of Christina PATTERSON's home at [REDACTED] in Suffolk, Virginia for jail letters between her and Richard PATTERSON, as described in Attachment A2 and B.

3. There is probable cause to believe that, on or about September 14, 2017, in Suffolk, within the Eastern District of Virginia, Christina PATTERSON did corruptly alter, destroy, mutilate, or conceal a record, document, or other object, or attempt to do so, with the intent to impair the object's integrity or availability for use in an official proceeding.

4. I am a Special Agent for the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), and have served in that capacity since January 2016. I am currently assigned to the Norfolk Field Office and charged with investigating violations of federal firearms, explosives, and arson laws, as well as other offenses enumerated in Title 18, Title 21, and Title 26 of the United States Code, for which I have received formal training at the Federal Law Enforcement Training Center and the ATF National Academy.

5. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

6. The statements in this affidavit are based in part on my investigation of this matter and on information provided by other law enforcement agents. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation.

Identification of the Items to be Examined

7. The property to be searched includes the following additional items:

a. Any letters sent from jail by Richard PATTERSON, inmate number 89409, or Douglas Hunter, inmate number 87113;

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- b. Any letters addressed to Richard PATTERSON, inmate number 89409, or Douglas Hunter, inmate number 87113; and
- c. Any Imperial K-9, LLC business records.

8. The letters and business records are also described in Attachment B. I suspect that they are currently in vehicle, a grey 2013 Land Rover/Range Rover, license plate # [REDACTED]. I also suspect that jail letters will also be found in her home at [REDACTED].

Pertinent Federal Criminal Statutes

9. This complaint and warrant are sought in support of an investigation into a criminal offense of 18 U.S.C. § 1512(c)(1), which makes it unlawful for any person to alter, destroy, mutilate, or conceal records, documents, or other objects with intent to impair the object's integrity or availability for use in an official proceeding or otherwise obstructs justice. WBS
seen and approved NE Rje

Factual Background

10. I have become aware of the facts and circumstances described below through my personal observation, my training and experience, information provided by other law enforcement officers, debriefs with ATF Confidential Sources ("CS's"), interviews, and suspect interactions. The information provided in this affidavit is for the limited purpose of establishing probable cause and does not contain all of the details or facts of which I am aware relating to this case.

11. On July 19, 2017, a federal grand jury sitting in Norfolk returned an indictment charging Richard PATTERSON with four counts of being a felon in possession of a firearm and one count of witness tampering. While a felon, Patterson had possessed at least nineteen firearms, including sixteen recovered from his home when ATF executed a search warrant at 2443 Freeman Mill Road, Suffolk, Virginia, on June 30, 2017. Right after, he texted a government witness who had purchased a firearm from PATTERSON and asked the witness to create a fake document showing that PATTERSON's wife, not PATTERSON, sold a firearm to the witness.

12. On July 21, 2017, Richard PATTERSON was arrested and detained. PATTERSON has been in custody since his arrest and has moved from Norfolk City Jail to Western Tidewater Regional Jail and finally to Chesapeake City Jail. During his time in custody, Richard PATTERSON has made over 500 calls to his wife, Christina PATTERSON. During those calls, the two have frequently discussed the case against PATTERSON and have conspired to tamper with evidence and witnesses against him to cover up his crimes and thwart the government's investigation against him. For example, in several jail calls, Richard Patterson directs Christina PATTERSON to destroy electronic evidence, instructs her to lie to authorities and claim ownership of all his firearms, and coaches her on how to give false testimony during court proceedings. The discussions are often incomplete, with Richard PATTERSON asking Christina PATTERSON to refer to his jail letters for the remaining information. The PATTERSONS state that the letters include references to their conspiracy to cover up his crimes and interfere with the investigation against him. The two also confirm that Richard Patterson's letters are mailed to their home, the Target Residence, and her letters are mailed to the jail.

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13. On August 3, 2017, Richard PATTERSON had his detention hearing. During the Government's proffer, the AUSA stated, in the PATTERSONS' presence, that Christina PATTERSON was considered an unindicted co-conspirator based on her assisting her felon husband in obtaining firearms, making false statements to law enforcement to cover up his crimes, and helping her husband tamper with government witnesses. Shortly thereafter, the AUSA spoke with Christina PATTERSON's attorney and informed him that the AUSA was preparing to add her as a co-defendant in a superseding indictment.

14. On August 6, 2017, Christina PATTERSON transferred ownership of the PATTERSONS' business, Imperial K-9, LLC, to a third party for no consideration. In the same instrument, Christina PATTERSON also changed the business's registered address from 2443 Freeman Mill Road, Suffolk, Virginia to 2447 Freeman Mill Road, Suffolk, Virginia. The change was reflected in records with the Virginia State Corporation Commission. According to these records, prior to August 6, 2017, the registered business address was 2443 Freeman Mill Road. In an ATF interview with the new business owner, who has known the PATTERSONS for years, she said that the PATTERSONS offered to sell her the business a few months earlier for \$50,000, but gave it to her for free soon after the criminal proceedings against Richard PATTERSON began. She also said that Christina PATTERSON did not do anything unless her husband instructed her to act. She further stated that just prior to the sale of the business, Christina PATTERSON mentioned that the search warrant did not have the correct business address and that getting the search warrant thrown out would free her husband. But around this time there were no jail calls between the two where they discussed selling the business to the new owner or changing the business address.

15. As early as August 28, 2017, but possibly sooner, Richard PATTERSON began using a different inmate's personal information and inmate number to make telephone calls – Douglas Hunter, inmate # 87113. According to calls between the two, and according to a confidential source (CS), PATTERSON has been using that other inmate's information on jail correspondence to disguise his identity. And to hide his wife's identity, PATTERSON has addressed some letters to various combinations of his wife's name, deceased relatives, and PATTERSON's stepfather, all addressed to the 2443 Freeman Mill address. CS7 has confirmed that Christina PATTERSON has received letters from the Chesapeake City Jail that include the other inmate's personal information and inmate number. During jail calls where Richard PATTERSON uses the other inmate's name and number, PATTERSON claims ownership of these letters and asks Christina PATTERSON if she has read them.

16. On August 29, 2017, during another jail call where Richard PATTERSON disguised his identity, PATTERSON again brought up letters between the two, telling Christina PATTERSON to "...make sure they're intact," and "if they're ever not let me know." PATTERSON reiterates those concerns in later calls, asking his wife if she has opened the letters he sent or if they had already been opened.

17. That same day, Richard PATTERSON's counsel filed a motion to suppress the June 30 search warrant for, among other things, failing to list the correct business address in Attachment A and that ATF should have included 2447, not 2443, Freeman Mill Road in the warrant.

18. On August 30, 2017, during a jail call between the two, again using that other inmate's identifiers, they continue to discuss their written correspondence. Christina PATTERSON said, "Got letter." Richard PATTERSON then asked "Was there good stuff in it?"

Christina PATTERSON responded, "There was one thing I didn't think about." Richard PATTERSON then replied, "All the stuff I've got you in the letter has it been helpful?" A few days later on September 07, the affiant saw Christina Patterson driving the "new business" car. *rg/c*

19. On September 11, 2017, the Court held a hearing on Richard PATTERSON's motion to suppress. There, defense counsel moved to continue the suppression hearing, and the Court granted his motion. Before the hearing, the PATTERSONS had several jail calls about the address issue, and Richard PATTERSON referenced letters he sent to his wife that included statements about the different addresses. *rg/c*

20. On September 11, 2017, on yet another call from Richard PATTERSON to Christina PATTERSON using the other inmate's identifiers, Christina PATTERSON revealed that she followed his instruction to obtain a "burner phone" – a prepaid or drop phone used to avoid detection – that she would use instead of her real phone number whenever Richard PATTERSON wanted to talk about "business." She gave him the new number – [REDACTED] – and PATTERSON began calling that number to discuss their "business." They were both convinced that her using the burner phone would prevent law enforcement from monitoring their calls, revealing their intent to violate jail requirements that all inmate calls be monitored.

21. On September 13, 2017, five days after the government filed a response to the suppression motion in which it identified that Christina PATTERSON had changed the business address weeks after the search warrant was executed, Richard PATTERSON called Christina PATTERSON's burner phone using the other inmate's identifiers. At one point during the call, Richard PATTERSON brought up Christina PATTERSON's changing the registered business address at his direction. He said, "It's always been '43 on everything and then you did a change of address when you put it in [the new owner's name]." He added, "You gave them evidence by doing that." Christina PATTERSON responded, "Well I guess ... doing what you told me what to do. ... You told me to go on that stupid site." PATTERSON replied to his wife, "It wasn't the time to do it ... You say why do I always say stuff to you and tell you stuff to do."

22. On September 14, 2017, jail calls between the PATTERSONS show that they have discovered that the new owner of Imperial K-9 has been cooperating with ATF in the investigation of Richard PATTEERSON. Richard PATTERSON then directed Christina PATTERSON to enter the now-transferred business office next to their home and steal business documents that had also been lawfully transferred to the new owner. They made clear in jail calls that the business documents included incriminating information that could be used against both of them in a criminal prosecution, including obstruction of justice for attempting to change their business address to undermine the validity of the June 30 search warrant. *rg/c*

23. Upon hearing that information, ATF and the new property owner went to the Imperial K-9 business office to obtain the documents before Christina PATTERSON took them. ATF was too late; the documents that the new owner had seen only days before were now gone. The new owner also told the affiant that many of the documents likely contained evidence of additional federal crimes.

24. Shortly after ATF arrived at the business office, Christina PATTERSON contacted Richard PATTERSON and told him ATF was on the property, but that she had already taken the documents, placed them in her bag, and left the property, and that she would not be returning to the home. She also told Richard PATTERSON that she believed ATF was there to arrest her for her actions and stated that she would hide to avoid arrest. Finally, she told him that she would *rg/c*

keep her phones off from that point on. Richard PATTERSON replied, "As long as you get all those contracts, that's all we need." *Christina Patterson stated she had the bag with her*

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Probable Cause to Search the Subject Items

25. Based on the information contained in paragraphs 9 through 24 above, I submit there is probable cause to believe that Christina PATTERSON obstructed justice by unlawfully entering property that was no longer hers, taking business documents that likely have in them incriminating information against her or her husband, and fleeing with those documents and jail letters to avoid arrest and further criminal charges against her husband.

26. I suspect that the Subject Items are in the possession of Christina PATTERSON, in her bags, or in her vehicle, a grey 2013 Land Rover/Range Rover, license plate # *[REDACTED]*

27. I also suspect that jail letters will be found in Christina PATTERSON's home at 2443 Freeman Mill Road in Suffolk, Virginia.

Based upon my training and experience as an attorney, individuals keep these type of documents on their person and the cars they are driving. mf

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28. I submit that this affidavit supports probable cause for a criminal complaint, arrest warrant, and search warrant authorizing the search of Christina PATTERSON's vehicle, as described in Attachment A1, and home, as described in A2, and seizure and examination of the Subject Items described in Attachment B.

29. Accordingly, I request that a warrant be issued authorizing me, with assistance from additional ATF agents and other law enforcement personnel, to arrest Christina PATTERSON and search the above-mentioned ~~person and~~ property for the items specified in Attachment B.

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FURTHER AFFIANT SAYETH NOT.

Nicholas R. Ivone

Nicholas R. Ivone, Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

SUBSCRIBED and SWORN before me on this 14th Sept. of July 2017 at Norfolk, Virginia.

Robert J. Hatch

UNITED STATES MAGISTRATE JUDGE

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